

Exhibit 3

CHARISE JONES
FISCHER V. GEICO

August 12, 2024
1-4

Page 1	Page 3
<p>1</p> <p>2 IN THE UNITED STATES DISTRICT COURT</p> <p>3 FOR THE EASTERN DISTRICT OF NEW YORK</p> <p>4 - - - - -)</p> <p>5 KEITH FISCHER, MICHAEL O'SULLIVAN,)</p> <p>6 JOHN MOESER, LOUIS PIA, THOMAS) Case No.:</p> <p>7 BARDEN, CONSTANCE MANGAN, and) 2:23 Civ. 2848</p> <p>8 CHARISE JONES, individually and) (GRB) (ARL)</p> <p>9 on behalf of all others similarly)</p> <p>10 situated,)</p> <p>11 Plaintiffs,)</p> <p>12 - v -)</p> <p>13 GOVERNMENT EMPLOYEES INSURANCE)</p> <p>14 COMPANY d/b/a GEICO,)</p> <p>15 Defendant.)</p> <p>16 - - - - -)</p> <p>17</p> <p>18 VIDEOTAPED DEPOSITION OF CHARISE JONES</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23 Reported by:</p> <p>24 Kim M. Brantley</p> <p>25 Job No: J11541510</p>	<p>1 CHARISE JONES</p> <p>2 APPEARANCES CONTINUED:</p> <p>3 On behalf of the Defendant GEICO:</p> <p>4 DUANE MORRIS, LLP</p> <p>5 1540 Broadway - 14th Floor</p> <p>6 New York, New York 10036</p> <p>7 (312) 499-0198 (Ms. Alberty)</p> <p>8 Email: gslotnick@duanemorris.com</p> <p>9 BY: GREGORY SLOTNICK, ESQUIRE</p> <p>10</p> <p>11 Also on behalf of the Defendant GEICO:</p> <p>12 DUANE MORRIS, LLP</p> <p>13 190 South LaSalle Street - Suite 3700</p> <p>14 Chicago, Illinois 60603</p> <p>15 (312) 499-0198</p> <p>16 Email: tealberty@duanemorris.com</p> <p>17 BY: TIFFANY ALBERTY, ESQUIRE</p> <p>18 (Appearing via Zoom)</p> <p>19</p> <p>20 ALSO PRESENT:</p> <p>21 SILVIO FACCHIN, Legal Video Specialist</p> <p>22 Esquire Deposition Solutions</p> <p>23</p> <p>24</p> <p>25</p>
Page 2	Page 4
<p>1 CHARISE JONES</p> <p>2 Monday, August 12, 2024</p> <p>3 Time: 9:53 a.m.</p> <p>4 Videotaped deposition of CHARISE JONES, held</p> <p>5 at Duane Morris, LLP, 1540 Broadway, 14th Floor,</p> <p>6 New York, New York, before Kim M. Brantley, Court</p> <p>7 Reporter and Notary Public of the State of New</p> <p>8 York.</p> <p>9</p> <p>10 APPEARANCES:</p> <p>11 On behalf of the Plaintiffs:</p> <p>12 OUTTEN & GOLDEN, LLP</p> <p>13 1225 New York Avenue NW - Suite 1200B</p> <p>14 Washington, DC, 20007</p> <p>15 (202) 847-4400</p> <p>16 Email: sjean@outtengolden.com</p> <p>17 BY: SABINE JEAN, ESQUIRE</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 CHARISE JONES</p> <p>2 P R O C E E D I N G S</p> <p>3 THE LEGAL VIDEO SPECIALIST: This is</p> <p>4 the media labeled number one in the video</p> <p>5 recorded deposition of Charise Jones in the</p> <p>6 matter of Keith Fischer, et al. versus</p> <p>7 Government Employee Insurance Company, doing</p> <p>8 business as GEICO.</p> <p>9 This deposition is being taken in New</p> <p>10 York City, New York on August 12, 2024. My</p> <p>11 name is Silvio Facchin, I am a certified</p> <p>12 legal video specialist; the court reporter is</p> <p>13 Kim Brantley, and we're both representing</p> <p>14 Esquire Deposition Solutions.</p> <p>15 We are now going on the record. The</p> <p>16 time is 9:53 a.m.</p> <p>17 Counsel will state their appearances</p> <p>18 for the record.</p> <p>19 MR. SLOTNICK: Good morning. Greg</p> <p>20 Slotnick of Dwayne Morris for defendant</p> <p>21 GEICO.</p> <p>22 MS. JEAN: Sabine Jean, Otten & Golden,</p> <p>23 for plaintiff -- for named plaintiff Charise</p> <p>24 Jones.</p> <p>25 THE LEGAL VIDEO SPECIALIST: Will the</p>

CHARISE JONES
FISCHER V. GEICO

August 12, 2024
145-148

Page 145	Page 147
<p>1 CHARISE JONES</p> <p>2 Do you know whether any investigators</p> <p>3 outside of region two were ever approved to work</p> <p>4 more than 38.75 hours in a week?</p> <p>5 A. I have no knowledge of that.</p> <p>6 Q. Do you know if any investigators</p> <p>7 outside of New York were ever approved to work</p> <p>8 38.75 hours per week?</p> <p>9 A. I don't know that.</p> <p>10 Q. So in the second sentence of paragraph</p> <p>11 nine where it says, "My supervisor frequently</p> <p>12 reiterated to me and other special investigators</p> <p>13 there was no approved overtime for completing</p> <p>14 regular case work, and that if it was offered</p> <p>15 GEICO would let the special investigators know,"</p> <p>16 where did that conversation take place?</p> <p>17 A. That, again, same means would either be</p> <p>18 phone or Webex, meeting her.</p> <p>19 Q. And when you say "frequently," how</p> <p>20 frequently are you talking about?</p> <p>21 A. I don't know how frequent. I really</p> <p>22 don't.</p> <p>23 Q. And those conversations would have been</p> <p>24 by phone or Webex you said?</p> <p>25 A. Correct.</p>	<p>1 CHARISE JONES</p> <p>2 attempted to submit time for approximately 1.5</p> <p>3 hours that I worked above 38.75 hours in the week,</p> <p>4 even though I'd actually worked more hours.</p> <p>5 "After my supervisor reviewed the</p> <p>6 request, she asked me who approved the overtime</p> <p>7 and then required me to spend a significant amount</p> <p>8 of time writing a report to justify the additional</p> <p>9 pay from my regular caseload.</p> <p>10 "I had to detail at length in this</p> <p>11 report the cases I worked on during the pay period</p> <p>12 and what tasks I completed.</p> <p>13 "Writing this took me at least two</p> <p>14 hours, and it dissuaded me from submitting further</p> <p>15 requests to be paid for hours above 38.75 per work</p> <p>16 week."</p> <p>17 Do you recall that instance?</p> <p>18 A. Yes.</p> <p>19 Q. And where did that conversation take</p> <p>20 place?</p> <p>21 A. That was I believe through Webex.</p> <p>22 Q. Was it just you and April the call?</p> <p>23 A. Yes.</p> <p>24 Q. To one else was present?</p> <p>25 A. No.</p>
Page 146	Page 148
<p>1 CHARISE JONES</p> <p>2 Q. Was anyone else in those conversations?</p> <p>3 A. Sometimes when we had section meetings</p> <p>4 it would come up, and it would be everyone in her</p> <p>5 section.</p> <p>6 Q. Who was in her section?</p> <p>7 A. Jeff Lewonka, myself, Anthony</p> <p>8 DeStefano, Jessica Sheppard, Mario Demaeo -- it's</p> <p>9 D-e-m-a-e-o -- Marie Butler. And I don't remember</p> <p>10 the other ones at the time.</p> <p>11 Q. And what do you mean by "regular case</p> <p>12 work"?</p> <p>13 A. Meaning if it wasn't something specific</p> <p>14 that they needed the overtime for, like a special</p> <p>15 project.</p> <p>16 Q. Like what type of job responsibilities</p> <p>17 would you say constitutes regular case work?</p> <p>18 A. The everyday cases that we got that</p> <p>19 were submitted to us on a daily basis.</p> <p>20 Q. So those would be part of your general</p> <p>21 responsibilities as an investigator?</p> <p>22 A. Correct.</p> <p>23 Q. So in paragraph ten, on the same page,</p> <p>24 where it says, "In approximately February or March</p> <p>25 2022, prior to my promotion to being a trainer, I</p>	<p>1 CHARISE JONES</p> <p>2 Q. And when you submit -- strike that.</p> <p>3 When did you submit the report that</p> <p>4 you're referring to here?</p> <p>5 A. She wanted it submitted the next day</p> <p>6 for the manager to approve it.</p> <p>7 Q. And who was the manager?</p> <p>8 A. Bill Newport.</p> <p>9 Q. How did you submit it?</p> <p>10 A. I sent an email.</p> <p>11 Q. Who did you send the email to?</p> <p>12 A. Her, April.</p> <p>13 Q. Was anyone copied on that email?</p> <p>14 A. No.</p> <p>15 Q. And were your overtime hours for that</p> <p>16 week approved?</p> <p>17 A. Yes.</p> <p>18 Q. So why did you -- why do you believe</p> <p>19 that that dissuaded you from future requests to be</p> <p>20 paid above 38.75 hours per work week?</p> <p>21 A. Because it -- the way it was -- the way</p> <p>22 she reprimanded me on putting it in, saying that</p> <p>23 there was nobody to approve it, and "You can't</p> <p>24 just work the overtime," and she wanted to know</p> <p>25 why I didn't ask somebody, and I proceeded to let</p>

CHARISE JONES
FISCHER V. GEICO

August 12, 2024
149-152

Page 149	Page 151
<p>1 CHARISE JONES</p> <p>2 her know that nobody was there. All the</p> <p>3 supervisors were out for the day. The manager was</p> <p>4 out. And I said, "I worked it, so I put it in."</p> <p>5 And then she told me that in order for</p> <p>6 me to get approved for it, I had to write down</p> <p>7 every single case that I worked, what I did, the</p> <p>8 time I did it, and why I needed to work that</p> <p>9 amount of hours overtime.</p> <p>10 And I -- it was just time consuming.</p> <p>11 That took more time out of my day during my work,</p> <p>12 of which she made it a big deal to do it, and then</p> <p>13 after it was approved, it was like no big deal.</p> <p>14 "Okay, it's approved. No problem."</p> <p>15 Q. And you submitted only 1.5 five</p> <p>16 hours --</p> <p>17 A. Mm-hmm.</p> <p>18 Q. Is that correct?</p> <p>19 A. Correct. And that's what persuaded me,</p> <p>20 because at that point I was just like, just forget</p> <p>21 the time, then. Don't pay me for that 1.5 if</p> <p>22 you're going to make me go through hoops for it.</p> <p>23 Q. But did you -- strike that.</p> <p>24 Is it your testimony that you actually</p> <p>25 worked more than 1.5 hours that week?</p>	<p>1 CHARISE JONES</p> <p>2 report to April, did she tell you not to submit it</p> <p>3 for all of your time worked?</p> <p>4 A. No, because I already submitted my</p> <p>5 Workday time, so it was only her to approve the</p> <p>6 amount that I've already submitted.</p> <p>7 So she said that I had to write up this</p> <p>8 report to just justify what I already put in.</p> <p>9 Q. Okay, and the original amount that you</p> <p>10 had already put in, that only included the 1.5</p> <p>11 hours?</p> <p>12 A. Correct.</p> <p>13 Q. And do you recall if you received pay</p> <p>14 at time and a half for those hours you submitted?</p> <p>15 A. No, it was up -- it was still within</p> <p>16 the forty hours. So I was still getting straight</p> <p>17 time.</p> <p>18 Q. And what other times did you ask to</p> <p>19 work overtime hours?</p> <p>20 A. When -- again when my workload was</p> <p>21 building up and I had a lot of cases, I would say,</p> <p>22 "Is there any overtime available?" It was always</p> <p>23 "No. If we have any, we'll let everybody know.</p> <p>24 We'll put an email out."</p> <p>25 I'm like, well, you know, when I would</p>
Page 150	Page 152
<p>1 CHARISE JONES</p> <p>2 A. Yes.</p> <p>3 Q. So why didn't you include the rest of</p> <p>4 that time in the request?</p> <p>5 A. Because it was persuaded -- it was the</p> <p>6 way she was making me feel. I just didn't want to</p> <p>7 put in any other time.</p> <p>8 And when I did submit what I did, you</p> <p>9 can obviously see that it was more than the 1.5.</p> <p>10 I only put in the 1.5, but she can definitely see</p> <p>11 by the documentation that I put on there what I</p> <p>12 did, where I went, and why I needed the time that</p> <p>13 it was more than that.</p> <p>14 Q. But you didn't submit for the time you</p> <p>15 actually worked, correct?</p> <p>16 A. No, because I knew it was going to be a</p> <p>17 hassle just for -- just the amount that I put in</p> <p>18 was already a hassle, that I wasn't going to go</p> <p>19 any -- going to put in anything further.</p> <p>20 Q. Did April tell you not to put in for</p> <p>21 the additional time?</p> <p>22 A. She didn't want me to put in for the</p> <p>23 original time, never mind the additional time,</p> <p>24 because she said it wasn't approved.</p> <p>25 Q. But when you were told to submit this</p>	<p>1 CHARISE JONES</p> <p>2 go to Brooklyn, or all the windshield time that</p> <p>3 took up hours, or there was an accident, or there</p> <p>4 was traffic, and you're putting in almost your</p> <p>5 entire day of your 7.75 in the car, and then</p> <p>6 coming home and having to write up a report, you</p> <p>7 know, it was just told, "Listen, take it off</p> <p>8 another day," or "Work around it."</p> <p>9 Q. Did you ever make any formal complaints</p> <p>10 about this unpaid time?</p> <p>11 MS. JEAN: Objection.</p> <p>12 THE WITNESS: No.</p> <p>13 BY MR. SLOTNICK:</p> <p>14 Q. Why not?</p> <p>15 A. I thought, you know, what I was doing,</p> <p>16 telling my supervisor, and, you know, justifying</p> <p>17 it where it went to the manager, I thought it</p> <p>18 would be enough.</p> <p>19 Q. If you go back to paragraph eight on</p> <p>20 page three, do you see that?</p> <p>21 A. Yes, eight.</p> <p>22 Q. It says, "As a special investigator,</p> <p>23 starting from 2016 to my promotion to trainer in</p> <p>24 approximately March 2022 I started work between</p> <p>25 7:00 a.m. and 7:30 a.m. and ended my day between</p>

CHARISE JONES
FISCHER V. GEICO

August 12, 2024
297-300

Page 297					Page 299				
1	CHARISE JONES				1	CHARISE JONES			
2	I N D E X				2	ACKNOWLEDGEMENT OF WITNESS			
3	DEPOSITION OF CHARISE JONES				3	I, CHARISE JONES, do hereby acknowledge			
4	EXAMINATION BY:		PAGE:		4	that I have read and examined the foregoing			
5	Mr. Slotnick		5, 292		5	testimony, and the same is a true, correct and			
6	Ms. Jean		275		6	complete transcription of the testimony given by			
7					7	me, and any corrections appear on the attached			
8					8	Errata sheet signed by me.			
9	INDEX OF DEPOSITION EXHIBITS:				9				
10	JONES EXHIBITS:		PAGE:		10	(DATE)		(SIGNATURE)	
11	Jones Exhibit 1. Notice of Deposition		11		11				
12	Jones Exhibit 2. Employee handbook		101		12				
13	Jones Exhibit 3. Training history log		109		13				
14	Jones Exhibit 4. Employment Contents				14				
15	From the GEICO Human Resources Associate				15				
16	Handbook		115		16				
17	Jones Exhibit 5. Charise Jones Declaration		134		17				
18					18				
19	Jones Exhibit 6. Answers to Interrogatories		176		19				
20					20				
21	Jones Exhibit 7. Second Amended Collective				21				
22					22				
23	and Class Action Complaint		224		23				
24					24				
25	(Exhibits attached to original transcript.)				25				
Page 298					Page 300				
1	CHARISE JONES				1	CHARISE JONES			
2	ERRATA SHEET FOR THE TRANSCRIPT OF:				2	C E R T I F I C A T E			
3	Case Name: Keith Fischer, et al. vs. GEICO				3	STATE OF NEW YORK)			
4	Dep. Date: August 12, 2024				4	: Ss.			
5	Deponent: Charise Jones				5	COUNTY OF NEW YORK)			
6	CORRECTIONS:				6	I, Kim M. Brantley, Shorthand			
7	Pg.	Ln.	Now Reads	Should Read	7	Reporter, and Notary Public within and for the			
8					8	State of New York, do hereby certify:			
9					9	That CHARISE JONES, the witness whose			
10					10	deposition is hereinbefore set forth, was duly			
11					11	sworn by me and that such deposition is a true			
12					12	record of the testimony given by the witness.			
13					13	I further certify that I am not related			
14					14	Toni of the parties to this action by blood or			
15					15	marriage, and that I am in no way interested in			
16					16	the outcome of this matter.			
17					17	IN WITNESS WHEREOF, I have hereunto set			
18					18	my hand this 13th day of August, 2024.			
19	Signature of Deponent				19	<i>Kim M. Brantley</i>			
20	SUBSCRIBED AND SWORN BEFORE ME				20	Kim M. Brantley			
21	THIS ____ DAY OF _____, 2024				21				
22					22				
23	(Notary Public)				23				
24					24	My Commission expires May 31, 2026.			
25	MY COMMISSION EXPIRES: _____				25				